

8-31-04

ITW RCE + #

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
 provides for continued examination of an utility or plant application  
 filed on or after June 8, 1995.  
 See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/833,016
Filing Date	April 10, 2001
First Named Inventor	Shilin Chen
Group Art Unit	2128
Examiner Name	Hugh M. Jones
Attorney Docket Number	074263.0238

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
 (Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. Enclosed
- i. ☒ **Third Request for Interference with Patent Application Pursuant to 37 C.F.R. §1.604, Examiner Interview Summary and Request for Continued Examination – 33 pages with attached Exhibits A-E (27 pages)**
- ii. ☒ **Baker Botts L.L.P. return receipt postcard (1 postcard)**
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Notification of Extension of Time - pages

**2. Miscellaneous**

- a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
 (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.117(i) required)
- b. Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☐ The Director is hereby authorized to charge any additional fees required or credit any overpayments, to Deposit Account No. 02-0384 of Baker Botts, L.L.P.
- i. ☒ **RCE fee of \$770.00 required under 37 C.F.R. § 1.17(e)**
- ii. ☒ **Extension of time fee of \$950.00 for 3 months (37 C.F.R. §§ 1.136 and 1.17)**
- iii. ☒ **Other Terminal Disclaimers (2) with attached checks in the amount of \$110.00 each.**
- b. ☒ **Check in the amount of \$ 770.00 is enclosed to cover the RCE basic filing fee and the addition of \_ (\*) independent claim and \_(\*) dependent claims**
- c. Payment by credit card (Form PTO-2038 enclosed)

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Box RCE, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print / Type)	Willie Jiles		
Signature	<i>Willie Jiles</i>	Date	August 30, 2004
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print / Type)	Luke K. Pedersen	Registration No. (Attorney/Agent)	45,003
Signature	<i>Luke K. Pedersen</i>	Date	August 30, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shilin Chen  
Serial No.: 09/833,016  
Filing Date: April 10, 2001  
Group Art Unit: 2128  
Examiner: Hugh M. Jones  
Title: **FORCE-BALANCED ROLLER-CONE BITS,  
SYSTEMS, DRILLING METHODS, AND DESIGN  
METHODS**

**MAIL STOP RCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**THIRD REQUEST FOR INTERFERENCE WITH  
PATENT APPLICATION PURSUANT TO 37 C.F.R. §1.604,  
EXAMINER INTERVIEW SUMMARY AND  
REQUEST FOR CONTINUED EXAMINATION**

In response to the Final Office Action mailed March 1, 2004 (the "Final Office Action"), Applicant respectfully requests continued examination of the present Application. Claims 40, 42, 43, 47 and 51-64 are copied from U.S. Application Serial No. 09/635,116 (the "'116 Application"). Accordingly, Applicant respectfully requests that the Examiner declare an interference between the present Application and the '116 Application. Applicant requests further, that this Request for Interference be handled with special dispatch, since **the copied claims were allowed by Examiner Ferris in the '116 Application**. Moreover, Applicant respectfully requests the Examiner to reconsider the rejection of the claims in view of the following Amendments thereto, and the comments as set forth below. Please amend the Application as follows.



ATTORNEY DOCKET NO.  
074263.0238

PATENT APPLICATION  
09/833,016

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shilin Chen  
Serial No. 09/833,016  
Filing Date: April 10, 2001  
Art Unit: 2128  
Examiner: Hugh M. Jones  
Title: **FORCE-BALANCED ROLLER-CONE BITS,  
SYSTEMS, DRILLING METHODS, AND DESIGN  
METHODS**

**Mail Stop AMENDMENT**

Honorable  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

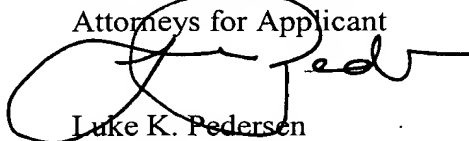
Applicant transmits herewith an Amendment in the above-identified application.  
An additional filing fee has been calculated as shown below.

	CLAIMS AFTER AMENDMENT		NUMBER PREVIOUSLY PAID FOR	EXTRA	LARGE ENTITY RATE	ADDITIONAL FEE
Total Claims:	22	-	33	0	x \$ 18 =	\$ .00
Independent Claims:	6	-	6	0	x \$ 86 =	\$ .00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ .00

Applicant believes no additional filing fee is requirements under 37 C.F.R. §1.16.  
However, should there be a fee discrepancy, the Commissioner is hereby authorized to  
charge any fees or credit any overpayment to Deposit Account No. 50-2148 of BAKER  
BOTTS L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.  
Attorneys for Applicant

  
Luke K. Pedersen  
Reg. No. 45,003

Date: August 30, 2004

Correspondence address:

Customer No.: **031625**  
Attorney Docket No.: 074263.0238